

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO.     <u>09 - 082</u></b>
<b>v.</b>	<b>:</b>	<b>DATE FILED:       <u>2-10-09</u></b>
<b>VINCENT LOFTON,</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>a/k/a "Mishang,"</b>	<b>:</b>	
<b>CLARENCE KILLING,</b>	<b>:</b>	<b>21 U.S.C. § 846 (conspiracy to</b>
<b>a/k/a "Matthew Killing,"</b>	<b>:</b>	<b>distribute cocaine and cocaine</b>
	<b>:</b>	<b>base ("crack") – 1 count)</b>
	<b>:</b>	<b>21 U.S.C. § 841(a)(1) (distribution</b>
	<b>:</b>	<b>of cocaine – 1 count)</b>
	<b>:</b>	<b>21 U.S.C. § 860 (distribution of</b>
	<b>:</b>	<b>cocaine within 1000 feet of a school</b>
	<b>:</b>	<b>- 1 count)</b>
	<b>:</b>	<b>21 U.S.C. § 841(a)(1) (distribution</b>
	<b>:</b>	<b>of 50 grams or more of cocaine</b>
	<b>:</b>	<b>base ("crack") - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. §2 (aiding and abetting)</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1.       From in or about December 2008 to on or about January 12, 2009, in the Eastern District of Pennsylvania, defendants

**VINCENT LOFTON,**  
**a/k/a "Mishang," and**  
**CLARENCE KILLING,**  
**a/k/a "Matthew Killing,"**

conspired and agreed, together and with others unknown to the grand jury, to commit an offense against the United States, that is, to knowingly and intentionally distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and to knowingly and

intentionally distribute 50 grams or more, that is, approximately 122.6 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

### **MANNER AND MEANS**

It was a part of the conspiracy that:

2. Defendants VINCENT LOFTON and CLARENCE KILLING agreed to distribute cocaine and cocaine base (“crack”) in Philadelphia, Pennsylvania, for profit.

3. Defendant CLARENCE KILLING obtained a buyer for the drugs, and defendant VINCENT LOFTON supplied the cocaine or cocaine base (“crack”) to defendant KILLING.

### **OVERT ACTS**

In furtherance of the conspiracy and to accomplish its objects, defendants VINCENT LOFTON and CLARENCE KILLING, and others unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. Prior to December 15, 2008, defendant CLARENCE KILLING informed a buyer known to the grand jury (“the buyer”) that defendant KILLING could arrange for the buyer to purchase cocaine from defendant VINCENT LOFTON.

#### **December 16, 2008 transaction**

2. On or about December 15, 2008, the buyer placed an order with defendant CLARENCE KILLING to purchase approximately 4 ½ ounces of cocaine for \$4,600 the following day.

On or about December 16, 2008:

3. Defendant CLARENCE KILLING arranged to meet the buyer in the 2100 block of Conlyn Street in Philadelphia.

4. There, defendant CLARENCE KILLING entered the buyer's car, was paid approximately \$4,600 in cash by the buyer, and then received a telephone call instructing him to meet defendant VINCENT LOFTON at or near the intersection of 15<sup>th</sup> and Olney Streets in Philadelphia.

5. Defendant CLARENCE KILLING and the buyer drove in the buyer's vehicle to 15<sup>th</sup> and Olney Streets in Philadelphia.

6. At that location, defendant CLARENCE KILLING exited the buyer's vehicle with the purchase money that he had received from the buyer and entered a vehicle occupied by defendant VINCENT LOFTON and by an individual unknown to the grand jury. Defendant LOFTON then delivered or caused to be delivered approximately 124.6 grams of cocaine to defendant KILLING.

7. Defendant CLARENCE KILLING then returned to the buyer's vehicle and delivered approximately 124.6 grams of cocaine to the buyer.

**January 12, 2009 transaction**

8. On or about January 11, 2009, the buyer placed an order with defendant CLARENCE KILLING to purchase 4 ½ ounces of cocaine base ("crack") for \$4,600 the following day.

On or about January 12, 2009:

9. Defendant CLARENCE KILLING arranged to meet the buyer in the 2100 block of Conlyn Street in Philadelphia.

10. There, defendant CLARENCE KILLING entered the buyer's car, and they then drove to a restaurant at 5917 North Broad Street in Philadelphia, which had been agreed upon as the location to meet defendant VINCENT LOFTON.

11. At the restaurant, defendant CLARENCE KILLING received a telephone call instructing him instead to meet defendant VINCENT LOFTON at a location at or near the intersection of Adams Avenue and Rising Sun Avenue in Philadelphia.

12. Defendant CLARENCE KILLING and the buyer drove in the buyer's vehicle from the restaurant to the new location and parked in a parking lot at the new location.

13. At the parking lot, defendant CLARENCE KILLING was paid approximately \$4,600 in cash by the buyer, and defendant KILLING then exited the buyer's vehicle with the purchase money that he had received from the buyer and entered a vehicle occupied only by defendant VINCENT LOFTON. Defendant LOFTON then delivered approximately 122.6 grams of cocaine base ("crack") to defendant KILLING.

14. Defendant CLARENCE KILLING then returned to the buyer's vehicle and delivered approximately 122.6 grams of cocaine base ("crack") to the buyer.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about December 16, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**VINCENT LOFTON,  
a/k/a “Mishang,” and  
CLARENCE KILLING,  
a/k/a “Matthew Killing,”**

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18 United States Code, Section 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about December 16, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**VINCENT LOFTON,  
a/k/a “Mishang,” and  
CLARENCE KILLING,  
a/k/a “Matthew Killing,”**

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, within 1000 feet of the real property comprising Philadelphia High School for Girls, a public high school located at 1400 West Olney Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 860.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 12, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**VINCENT LOFTON,  
a/k/a “Mishang,” and  
CLARENCE KILLING,  
a/k/a “Matthew Killing,”**

knowingly and intentionally distributed, and aided and abetted the distribution of, 50 grams or more, that is, approximately 122.6 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18 United States Code, Section 2.

**A TRUE BILL:**

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**FOREPERSON**

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**LAURIE MAGID**  
**Acting United States Attorney**